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ATTORNEY FOR DEFENDANT  
DAVID T. USSERY

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) CR.-S-05-0034  
PLAINTIFF, ) STIPULATION AND  
v. ) ORDER TO CONTINUE JUDGMENT  
JAY BRIAN McCASTLE and ) AND SENTENCE TO  
DAVID TALCOTT USSERY, ) SEPTEMBER 12, 2006  
DEFENDANT. )

## **AGREEMENT AND STIPULATION**

The United States of America, represented by the United States Attorney for the Eastern District of California, by Assistant United States Attorney, Ms. Anne Pings, and the defendants, JAY BRIAN McCASTLE, represented by Mr. Tim Warriner, and DAVID T. USSERY, represented by Mr. James R. Greiner, hereby agree and stipulate that the Judgment and Sentencing of this matter may be continued from Tuesday, August 29, 2006, to Tuesday, September 12, 2006, at 9:30 a.m. in courtroom number 4, on the 15<sup>th</sup> floor of the United States Courthouse, 501 I Street, before the Honorable Senior United States District Court Chief Judge Emeritus, Lawrence K. Karlton. The Tuesday, August 29, 2006, date may be vacated.

1 Counsel checked with the Court's courtroom deputy clerk for the available date  
2 prior to filing the stipulation and proposed Order, and the date was cleared by the  
3 Court's courtroom deputy clerk.

4 It is so agreed and stipulated.

McGregor W. Scott  
United States Attorney

6 | DATED: 8-18-06

/s/ Anne Pings (authorized by in person  
authorization)

**Ms. Anne Pings**  
Assistant United States Attorney

10 || DATED: 8-18-06

/s/ Tim Warriner (authorized by individual  
authorization)

14 | DATED: 8-18-06

/s/ James R. Greiner

**James R. Greiner  
Attorney for David T. Ussery**

**GOOD CAUSE APPEARING, IT IS SO ORDERED.**

21 || DATED: August 23, 2006

LAWRENCE K. KARLTON  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT